

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

GREENLEAF LIMITED PARTNERSHIP)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:08-cv-02480
)	Honorable Virginia M. Kendall
)	
ILLINOIS HOUSING DEVELOPMENT)	
AUTHORITY)	
)	
Defendant and)	
Third-Party Plaintiff,)	
)	
v.)	
)	
ROY BERNARDI,)	
Acting Secretary, United States Department)	
of Housing and Urban Development,)	
)	
Third-Party Defendant.)	

**PLAINTIFF AND DEFENDANT'S JOINT MOTION
FOR REASSIGNMENT OF RELATED CASE**

Plaintiff Greenleaf Limited Partnership ("Greenleaf") and Defendant Illinois Housing Development Authority ("IHDA"), pursuant to Local Rule 40.4, jointly move this Court for an Order reassigning *Sandburg Village Apartments v. Illinois Housing Development Authority* (Case No. 08-cv-03446) ("the Sandburg Case") now pending before Judge Ronald A. Guzman, to the calendar of Judge Virginia M. Kendall. In support of this Motion, the parties state as follows:

1. Local Rule 40.4 allows for the reassignment of cases on the basis of relatedness where the cases involve some of the same issues of fact or law and reassigning the cases to a single Judge will result in a substantial saving of judicial time and effort. The Sandburg Case is related to the present action as both cases involve nearly identical claims arising under Section 8

of the United States Housing Act of 1937, 42 U.S.C. § 1437f. More specifically, each three-count Complaint turns primarily upon IHDA's application of Notice H 95-12, issued by the United States Department of Housing and Urban Development on March 7, 1995.

2. As a result, and as set forth more fully in the attached memorandum, the conditions for reassignment under Local Rule 40.4(b) are met, as both cases are pending in this Court, reassignment of the Sandburg Case to a single Judge will save substantial judicial resources, the cases are in their infancy, and both cases are susceptible of disposition in a single proceeding.

WHEREFORE, Plaintiff Greenleaf Limited Partnership and Defendant Illinois Housing Development Authority respectfully request that this Court enter an Order reassigning *Sandburg Village Apartments v. Illinois Housing Development Authority* (Case No. 08-cv-03446) to Judge Virginia M. Kendall's docket.

Respectfully submitted,

/s/ Martin G. Durkin

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on, August 7, 2008, I electronically transmitted the foregoing **Plaintiff and Defendant's Joint Motion for Reassignment of Related Case** to the Clerk of the Court, using the ECF systems for filing, and caused the ECF system to transmit a Notice of Electronic Filing to the counsel of record listed on the ECF system for this case and served via United States Mail, postage prepaid, upon the following non-CM/ECF participants:

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